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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TRANSPACIFIC PASSENGER)	Civil Case No. 3:07-cv-05634-CRB-DMR
AIR TRANSPORTATION ANTITRUST)	MDL No. 1913
LITIGATION)	
)	STIPULATION AND ORDER
)	REGARDING SETTLING DEFENDANT'S
This Document Relates to:)	RESPONSE TO CLASS PLAINTIFFS'
)	SECOND AMENDED CONSOLIDATED
ALL ACTIONS)	CLASS ACTION COMPLAINT
)	
)	
)	

1 WHEREAS on July 14, 2011 and November 22, 2013, Class Plaintiffs filed their First
2 Amended Consolidated Class Action Complaint and Second Amended Consolidated Class Action
3 Complaint, respectively;

4 WHEREAS Defendant Malaysian Airlines System Berhad ("Malaysian Airlines"), was a
5 named Defendant on these Complaints;

6 WHEREAS Defendant Malaysian Airlines filed its Answer to Plaintiffs' First Amended
7 Consolidated Class Action Complaint on November 15, 2011;

8 WHEREAS, on June 11, 2013, prior to the filing of the Second Amended Consolidated
9 Class Action Complaint, Class Plaintiffs and Malaysian Air reached a settlement agreement
10 resolving Class Plaintiffs' claims against Malaysian Air in this matter;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
12 Class Plaintiffs and the undersigned Defendant, that:

13 Defendant Malaysian Airlines shall not be required to file any additional response to the
14 Second Amended Consolidated Class Action Complaint;

15 Defendant Malaysian Airlines' prior Answer to the First Amended Consolidated Class
16 Action Complaint shall be deemed responsive to the Second Amended Consolidated Class Action
17 Complaint; and

18 Defendant Malaysian Airlines' prior Answer shall be deemed to deny any additional or
19 different allegation made in the Second Amended Consolidated Class Action Complaint;

20 PROVIDED THAT, should the settlement agreement executed between Class Plaintiffs
21 and Defendant Malaysian Airlines fail to become final for any reason, Malaysian Airlines shall
22 have 14 days from the date the settlement agreement becomes null and void to respond to the
23 Second Amended Consolidated Class Action Complaint.

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IT IS SO STIPULATED:

Dated: December 5, 2013

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ATTESTATION

I, Christopher L. Lebsock, hereby attest, pursuant to Northern District of California, Local Rule 5-1(i)(3), that concurrence to the filing of this document has been obtained from each signatory hereto.

/s/ Christopher L. Lebsock

Christopher L. Lebsock

SO ORDERED.

Dated: December 11, 2013

